

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: MailMail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. After the correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated above, corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

30623 7590 05/24/2004

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111

05/25/2004 JERLINAR 00000099 09717321

01 FC:2501 665.00 DP
02 FC:8901 30.00 DP

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

| |
|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|----------------------|------------------|
| 09717,321 | 11/20/2000 | Bonnie Gould Rothberg | 15966-601 (CURA 101) | 1397 |

TITLE OF INVENTION: METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1330 | \$0 | \$1330 | 08/24/2004 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|----------------|----------|----------------|
| VOGEL, NANCY S | 1636 | 536-023100 |

Mintz, Levin, Cohn

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Ferris, Glovsky & Popeo, P.C.
2 Ivor R. Elrifi, Esq.
3 Naomi S. Biswas, Esq.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Curagen Corporation

New Haven, CT

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 10 (Check No. 19199) ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0311 (enclose an extra copy of this form).

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed. Check No. 19201☐ Payment by credit card. Form PTO-2038 is attached.

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Charles E. Bell (Date) 8/23/04
Reg. No. 48128

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

Express Mail Label No.: EV139502672US

Date of Deposit: August 23, 2004

Attorney Docket No: 15966-601 (Cura-101)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rothberg *et al.*

SERIAL NUMBER: 09/717,321

EXAMINER: Nancy Vogel

FILING DATE: November 20, 2000

ART UNIT: 1636

FOR: METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER

MAIL STOP ISSUE FEE

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE AND ISSUE FEE DUE


In response to the Notice of Allowance and Fee(s) Due, mailed May 24, 2004, the following is submitted herewith for filing in the above-referenced application:

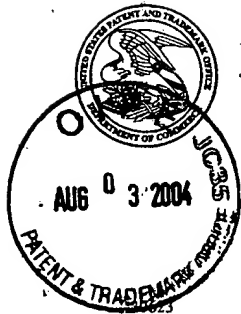
1. Form PTOL-85 (Notice of Allowance and Fee(s) Transmittal) (2 pgs.);
2. Check No. 19201 in the amount of \$665.00 covering the issue fee for a small entity,
3. Check No. 19199 in the amount of \$30.00 for an advance order of 10 softcopies of the patent.

Please note that the entity status has changed. This application is now entitled to small entity status under 37 C.F.R. § 1.27. Although no other fees are believed due, the Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to Account 50-0311, Ref. No. 15966-601 (Cura-101). An extra copy of Part B of Form PTOL-85 is enclosed for this purpose.

Respectfully submitted,

Dated: August 23, 2004

for:  Reg. No. 48,128
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 05/24/2004
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111

| | |
|--|---------|
| <input checked="" type="checkbox"/> Data Entry | Done By |
| <input type="checkbox"/> Docket Entry | W |
| <input type="checkbox"/> Docket Cross Off | 8/24/04 |
| <input type="checkbox"/> Previously Entered | |
| <input type="checkbox"/> No Docketing Req | |
| <input type="checkbox"/> ELITE | |
| <input type="checkbox"/> Annuities | |

| | |
|----------------|--------------|
| EXAMINER | |
| VOGEL, NANCY S | |
| ART UNIT | PAPER NUMBER |

1636
DATE MAILED: 05/24/2004

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|----------------------|------------------|
| 09/717,321 | 11/20/2000 | Bonnie Gould Rothberg | 15966-601 (CURA 101) | 1397 |

TITLE OF INVENTION: METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1330 | \$0 | \$1330 | 08/24/2004 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☒ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

RECEIVED

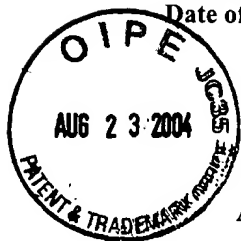
MAY 26 2004

MINTZ LEVIN, BOSTON
PATENT DOCKET DEPT

Express Mail Label No.: EV139502672US

Date of Deposit: August 23, 2004

Attorney Docket No: 15966-601 (Cura-101)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rothberg *et al.*

SERIAL NUMBER: 09/717,321

EXAMINER: Nancy Vogel

FILING DATE: November 20, 2000

ART UNIT: 1636

FOR: METHOD OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED DIFFERENTIAL GENE EXPRESSION IN LIVER

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450


TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Response to Notice of Allowance and Issue Fee Due (1 pg.);
2. PTOL-85 - Notice of Allowance and Issue Fee Transmittal (2 pgs., in duplicate);
3. Check No. 19201 in the amount of \$665.00 to cover Issue Fee for a small entity;
4. Check No. 19199 in the amount of \$30.00 to cover Advanced Copies; and
5. Return Postcard.

Please note that the entity status has changed. This application is now entitled to small entity status under 37 C.F.R. § 1.27. If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at the number provided below. No additional fees are believed due in connection with this submission. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311; Reference No. 15966-601 (Cura-101). A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

for:  Reg. No. 48,128
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants

Dated: August 23, 2004

MINTZ, LEVIN, COHN, FERRIS,

GLOVSKY AND POPEO, P.C.

Tel: (617) 542-6000

Fax: (617) 542-2241

Customer No. 30623.